

**PATENT**

Express Mail No.: ET652099347US

Docket No.: ROB3108.03A

**COMBINED DECLARATION AND POWER OF ATTORNEY**  
(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,  
CONTINUATION, OR CIP)

As below named inventor, I hereby declare that:

**TYPE OF DECLARATION**

This declaration is of the following type:

- original
- design
- supplemental
- national stage of PCT
- divisional
- continuation
- continuation-in-part

**INVENTORSHIP IDENTIFICATION**

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**VARIABLE FLUTE HELICAL-PITCH ROTARY CUTTING TOOL**

**SPECIFICATION IDENTIFICATION**

the specification of which:

- (a)  is attached hereto.
- (b)  was filed on \_\_\_\_\_ as Serial No. 0 / \_\_\_\_\_ or Express Mail No.,  
as Serial \_\_\_\_\_ No. not yet known \_\_\_\_\_ and was  
amended on \_\_\_\_\_ (if applicable).
- (c)  was described and claimed in PCT international Application No.  
amended under PCT Article 19 on \_\_\_\_\_ (if any).

## **ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose the information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulation § 1.56(a).

— In compliance with this duty there is attached an information disclosure statement. 37 CFR 1.97.

**PRIORITY CLAIM**

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

- (d) X no such applications have been filed.

(e)    such application have been filed as follows.

**EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS APPLICATION**

Country      Appl. No.      Date of Filing      Priority Under 35 USC119

## POWER OF ATTORNEY

As a named inventor, I hereby appoint the following attorney to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

James M. Ritchey Registration No. 32,594

Attached as part of this declaration and power of attorney is the authorization of the above-named attorney to accept and follow instructions from my representative(s).

**SEND CORRESPONDENCE TO:**

James M. Ritchey  
O'BANION & RITCHHEY  
Wells Fargo Center  
400 Capitol Mall, Suite 1550  
Sacramento, CA 95814

**DIRECT TELEPHONE CALLS TO:**

James M. Ritchey  
(916) 498-1010

**DECLARATION**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**SIGNATURE(S)**

Full name of sole or first inventor: Mike MacArthur

Inventor's Signature: Mike MacArthur

Date: 11/18/03 Country of Citizenship: UNITED STATES

Residence: 6032 VIRGINIA Drive Auburn CA 95602

P.O. Address: 6032 VIRGINIA DRIVE Auburn CA 95602

**CHECK PROPER BOX(ES) FOR ANY OF THE FOLLOWING ADDED PAGE(S) WHICH  
FORM A PART OF THIS DECLARATION**

- Signature for second and subsequent joint inventors.  
Number of pages added \_\_\_\_\_.
- Signature by administrator(trix), executor(trix) or legal representative for  
deceased or incapacitated inventor.  
Number of pages added \_\_\_\_\_.
- Signature for inventor who refuses to sign or cannot be reached by  
person authorized \_\_\_\_\_ under 37 CFR 1.47.  
Number of pages added \_\_\_\_\_.
- Added pages to combined declaration and power of attorney for  
divisional, continuation, or continuation-in-part (CIP) application.  
Number of pages added \_\_\_\_\_.
- Authorization of attorney(s) to accept and follow instructions from  
representative.

**X** **This Declaration ends with this page.**

**PATENT**  
EXPRESS MAIL NO.: ET652099347US  
Docket No.: ROB3108.03A

Applicant or Patentee: Mike MacArthur

Serial or Patent No.:

Filed or Issued: November 18, 2003

For: VARIABLE FLUTE HELICAL-PITCH ROTARY CUTTING TOOL

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(f) and 1.27(b))-INDEPENDENT INVENTOR**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for the purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled:

**VARIABLE FLUTE HELICAL-PITCH ROTARY CUTTING TOOL**

described in

X the specification filed herewith.

   application serial no. \_\_\_\_\_, filed \_\_\_\_\_.

   patent no. \_\_\_\_\_, issued \_\_\_\_\_.

I have not assigned, granted conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

   no such person, concern, or organization

X persons, concerns or organizations listed below

FULL NAME Robbjack Corporation

ADDRESS 3300 Nicolaus Road, Lincoln, CA 95648

   Individual

X Small Business Concern    Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Mike MacArthur

Name of Sole Inventor

Mike MacArthur

Signature of Sole Inventor

Date: 4/18/03